

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/080,816 Confirmation No.: 2619
Applicant : Michael S. Wiltshire, et al.
Filing Date : February 21, 2002
Title : SLIM TERMINAL GAMING SYSTEM
Group Art Unit : 3714
Examiner : Corbett B. Coburn
Docket No. : 18196-4003
Customer No. : 34313

Commissioner for Patents
Mail Stop RCE
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

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INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

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STATEMENT UNDER 37 CFR § 1.97(e):

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

REMARKS

The Assignee would like to call to the Examiner's attention the following language from col. 14 of the Walker reference listed in the PTO-form 1449 filed on October 18, 2006:

Note that the game software described does not have to reside completely at the central controller. Part of the game software may reside in the central controller and part of it may reside within the I/O device. This configuration can be implemented in a client/server environment. In the case of an online tournament golf game, for example, if the client/server model is not used then the I/O device acts as a dumb terminal. All of the game software resides on the game controller (server machine), receiving input from the I/O device and sending back the results.

This language has been identified by a third party during licensing discussions as particularly relevant to the present application. While the Assignee does not believe this language, or the rest of the Walker reference to be material, out of an abundance of caution the Assignee is hereby submitting this language to the Examiner for his independent review and consideration.

After reviewing the passage above, the Assignee believes that the Walker reference taken either alone or in combination with other references of record does not anticipate or render obvious any of the pending claims in the present application. In particular, the Assignee respectfully submits that none of the cited references (including Walker) teaches or even suggests at least the limitation that "the computer gaming program executed on the server/host computer separates input and output streams at an application layer of a protocol stack, and redirects the input and output streams over the communication pathways to the client/terminal computers via the server/host interface program and the client/terminal program."

Accordingly, consideration and allowance of all pending claims of the present application are respectfully requested.

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Accordingly, consideration and allowance of all pending claims of the present application in light of the newly cited references are respectfully requested.

PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:

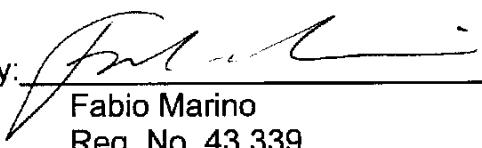
A check in the amount of _____ is enclosed for the above fee(s).
 Please charge _____ Deposit Account No. 15-0665 for the above fee(s).

The Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Orrick, Herrington & Sutcliffe's Deposit Account No. 15-0665.

Respectfully submitted,
ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: October 31, 2006

By:


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Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/080,816
				Filing Date	February 21, 2002
				First Named Inventor	Michael S. Wiltshire
				Art Unit	3714
				Examiner Name	Corbett B. Coburn
Sheet	1	of	1	Attorney Docket Number	18196-4003

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	U.S. Patent Document	Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		Number-Kind Code ² (if known)			
	AA	5,779,549	07/14/1998	Jay S. Walker, et al.	
	AB				
	AC				
	AD				
	AE				
	AF				
	AG				

FOREIGN PATENT DOCUMENTS					
Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		Country ³ Number ⁴ Kind Code ⁵ (if known)			
	BA				
	BB				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
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Examiner Signature	OHS West:260110683.I	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicants unique citation designation number (optional). ²See Kinds of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450